

ORDINANCE NUMBER 9091-60

**AN AMENDMENT TO THE ZONING ORDINANCE
OF THE CITY OF URBANA, ILLINOIS**

(Adoption of the B-1(A) Neighborhood Business (Arterial) Zoning District)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #7980-68 on December 17, 1979 which adopted the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and

WHEREAS, the purpose of the Zoning Ordinance is to implement the policies of the City of Urbana as expressed in the 1982 Comprehensive Plan as adopted by the City Council on September 7, 1982 and as said Comprehensive Plan is amended from time to time; and

WHEREAS, the Urbana City Council adopted Ordinance #8990-132 on June 4, 1990 which amended the City's 1982 Comprehensive Plan by adopting the Downtown to Campus Plan; and

WHEREAS, the Downtown to Campus Plan recommended a variety of zoning changes and other actions including a recommendation to create a new zoning district which has been titled the B-1(A) Neighborhood Business (Arterial) Zoning District; and

WHEREAS, the Urbana Zoning Administrator submitted a petition to amend the Zoning Ordinance to add the new zoning district as recommended in the Downtown to Campus Plan; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1368-T-90; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on the proposed amendment on August 23 and 30 and September 6 and 20, 1990; and

WHEREAS, the Urbana Plan Commission voted on September 20, 1990 to forward Plan Case #1368-T-90 and the amendment described herein to the Urbana City Council with a recommendation for approval; and

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the amendment described herein conforms to the goals, objectives and policies of the City's 1982 Comprehensive Plan as modified by the Downtown to Campus Plan; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to amend the text of the Urbana Zoning Ordinance as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS that the Zoning Ordinance of the City of Urbana, Illinois is hereby amended as follows:

Section 1. Section IV-1, entitled "Number and designation of districts", is hereby amended to insert the name B-1(A) Neighborhood Business (Arterial) to the list of Zoning Districts immediately following "B-1 Neighborhood Business" and immediately preceding "B-2 Highway Business".

Section 2. Section IV-2, entitled "Purpose of districts", is hereby amended to renumber the remaining subsections in Section IV-2-D and to insert a new Section IV-2-D(2) to read as follows:

2. The B-1(A) Neighborhood Business (Arterial) District is intended to provide areas of limited size along arterial streets in proximity to low density residential areas for a limited range of basic commercial trade and personal services. This district is also intended to provide areas for new high density residential uses. These business and residential uses may occur in the same structure. Due to the location of arterial streets in many residential neighborhoods where commercial and high density residential uses would not be appropriate, the B-1(A) District shall be limited to only those areas that have been so designated in the City's adopted Comprehensive Plan and related amendments.

Section 3. Section V-3, entitled "Table of permitted uses, by district", is hereby amended to change Section V-3-D to read as follows:

D. In the R-6B, B-1, B-1(A), B-2, B-3, B-4, and IN Zoning Districts, more than one (1) principal use may be allowed in a single building without zoning board of appeals approval if the uses are permitted by right (P) within the district in which the lot or parcel of land is located.

Section 4. Section V-4, entitled "Regulation of adult entertainment uses", is hereby amended to change Section V-4-A(2) to read as follows:

2. No adult entertainment use shall be located or established on any lot that is within two hundred (200) feet of any AG, CRE, R-1, R-2, R-3, R-4, R-5, R-6, R-6B, R-7, or B-1(A) Zoning District.

Section 5. Section V-6, entitled "Regulation of community living facilities", is hereby amended to change Section V-6-B to read as follows:

B. No community living facility shall be located or established within one thousand (1,000) feet of another community living facility when located in the R-4, R-5, R-6, R-6B, B-1, B-1(A) or B-2 Zoning Districts.

Section 6. Section V-3, entitled "Table of permitted uses, by district", and Table V-1, entitled "Table of Uses", are hereby amended to designate the following uses as permitted uses by inserting a "P" in Table V-1 or as special uses by inserting an "S" in Table V-1 or as conditional uses by inserting a "C" in Table V-1, as follows:

PRINCIPAL USES	B-1(A)
<i>Public and Quasi-Public Facilities</i>	
Institution of an Educational, Philanthropic or Eleemosynary Nature	P
Church or Temple	P
Municipal or Government Building	P
Police Station or Fire Station	P
Public Library, Museum or Gallery	P
Public Park	P
Parking Garage or Lot	P
Electrical Substation	C
Telephone Exchange	C
Telegraph Office	P
<i>Residential Uses</i>	
Boarding or Rooming House	P
Dwelling, Single Family	P
Dwelling, Single Family (Extended Group Occupancy)	P
Dwelling, Duplex	P
Dwelling, Duplex (Extended Group Occupancy)	P
Dwelling, Multifamily	P
Dwelling, community living facility, Category I	P
Dwelling, community living facility, Category II	P
Dwelling, community living facility, Category III	P
Dwelling, home for adjustment	P
Dormitory	P
Home for the Aged	P
Nursing Home	P
Bed and Breakfast	P
<i>Resource Production and Agricultural Uses</i>	
Greenhouse (not exceeding 1,000 sq. ft.)	P
Garden Shop	P

Business Uses - Personal Services

Barber Shop	P
Beauty Shop	P
Reducing Salon	P
Dry Cleaning or Laundry Establishment	P
Laundry and/or Dry Cleaning Pickup	P
Self-service Laundry	P
Shoe Repair Shop	P
Tailor and Pressing Shop	P
Mortuary	P

Business Uses - Business, Private Educational and Financial Services

Bank, Savings and Loan Association	P
Professional and Business Office	P
Private Kindergarten or Day Care Facility	C

Business Uses - Food Sales and Services

Meat and Fish Market	P
Restaurant	C
Supermarket or Grocery Store	P
Bakery (Less than 2,500 sq.ft.)	P
Dairy Store	P
Delicatessen	P
Confectionery	P
Retail Liquor Sales	C
Locker, Cold Storage for Individual Use	P

Business Uses - Vehicular Sales and Services

Gasoline and Service Station	C
Automobile Accessories (New)	C

Business Uses - Retail Trade

Hardware Store	P
Apparel Shop	P
Electronic Sales and Services	P
Shoe Store	P
Jewelry Store	P
Stationery-Gift Shop-Art Supplies	P
Florist	P
Bookstore	P
Tobacconist	P
Variety-Dry Goods Store	P
Music Store	P
Drugstore	P
Photographic Studio and Equipment Sales and Service	P
Pet Store	P
Bicycle Sales and Service	P
Sporting Goods	P
Heating, Ventilating, Air Conditioning Sales and Service	P
Art and Craft Stores and Studios	P

<i>Business Uses - Recreational</i>	
Lodge or Private Club	C
<i>Business Uses - Miscellaneous</i>	
Radio or TV Studio	C
Shopping Center - Convenience	S
<i>Industrial Uses</i>	
Confectionery Products Manufacturing and Packaging	C
Bookbinding	C
Motion Picture Production Service	C

Section 7. Article V, entitled "Use Regulations", is hereby amended to insert a new Section V-7 to read as follows:

Sec. V-7. Additional use regulations in the B-1(A) District.

A. In the B-1(A) District, if the floor area of a principal structure is to be occupied by a residential use of more than three thousand (3,000) square feet, a business use shall also be established on the zoning lot. When a business use is required, the floor area devoted to the business use shall be equal to or greater than twenty-five percent (25%) of the total floor area that is occupied by the residential use on the zoning lot. When a business use is required, the use shall conform to the list of uses permitted in the B-1(A) District as designated in Table V-1.

B. Section VIII-4-D, regarding collective off-street parking for mixed uses in principal structures, shall not apply to residential uses in the B-1(A) District. In the case of mixed uses involving residential uses in this District, there shall be no reduction in the parking as required in Sec. VIII-4.

Section 8. Section VI-2, entitled "Height", is hereby amended to change Section VI-2-C to read as follows:

C. In the AG, CRE, R, B-1 and B-1(A) Districts, and for residential uses in the B-3, and B-4 Districts, if the height of a building exceeds two (2) stories or twenty-five (25) feet, the minimum side and rear yards shall be increased as specified in Sec. VI-5.

Section 9. Section VI-5, entitled "Yards", is hereby amended to change Section VI-5-E(2) to read as follows:

2. In the AG, CRE, R, B-1 and B-1(A) Districts, and for residential uses in the B-3 and B-4 Districts, each required side yard shall be increased by three (3) feet for each ten (10) feet or fraction thereof over twenty-five (25) feet in height.

Section 10. Section VI-5, entitled "Yards", is hereby amended to change Section VI-5-F(1) to read as follows:

1. In the AG, CRE, R, B-1 and B-1(A) Districts, and for residential uses in the B-3 and B-4 Districts, each required rear yard shall be increased by three (3) feet for each ten (10) feet or fraction thereof over twenty-five (25) feet in height, whichever is greater.

Section 11. Table VI-1, entitled "Development Regulations by District", is hereby amended to insert the development regulations for the B-1(A) Zoning District immediately following the B-1 District and immediately preceding the B-2 District in Table VI-1 as follows:

District	Minimum	Min./Avg.	Max.	Max.	Min.	<u>Required Yards</u>		
	Lot Size	Lot Width	Height	FAR	OSR	Front	Side	Rear
B-1(A)	6,000	60	35	1.50	0.15	15	10	15

Section 12. Table VII-2, entitled "PUD Standards", is hereby amended to insert the PUD standards for the B-1(A) Zoning District immediately following the B-1 District and immediately preceding the B-2 District in Table VII-2 as follows:

District	Minimum	Max.	Max.	Min.	Min. Common	<u>Required Yards</u>		
	Lot Size	Height	FAR	OSR	Open Space	Front	Side	Rear
B-1(A)	200,000	35	1.60	0.15	none	15	10	15

Section 13. Table IX-1, entitled "Standards for Freestanding Signs", is hereby amended to insert the name B-1(A) Neighborhood Business (Arterial) immediately following, and in the same category as, the B-1 Neighborhood Business District in the column entitled Districts Permitted.

Section 14. Table IX-2, entitled Standards for Wall Signs and Wall-mounted Signs, is hereby amended to insert the name B-1(A) Neighborhood Business (Arterial) immediately following, and in the same category as the B-1 Neighborhood Business District in the column entitled Districts Permitted.

Section 15. Table IX-3, entitled "Standards for Projecting Signs", is hereby amended to insert the name B-1(A) Neighborhood Business (Arterial) immediately following, and in the same category as, the B-1 Neighborhood Business District in the column entitled Districts Permitted.

Section 16. Table IX-6, entitled "Standards for Signs Attached to Canopies and Entrance Structures", is hereby amended to insert the

name B-1(A) Neighborhood Business (Arterial) immediately following, and in the same category as, the B-1 Neighborhood Business District in the column entitled Districts Permitted.

Section 17. Table IX-7, entitled "Standards for Property Sale and Rental Signs", is hereby amended to insert the name B-1(A) Neighborhood Business (Arterial) immediately following, and in the same category as, the B-1 Neighborhood Business District in the column entitled Districts Permitted.

Section 18. Table IX-8, entitled "Standards for Subdivision Signs", is hereby amended to insert the name B-1(A) Neighborhood Business (Arterial) immediately following, and in the same category as, the B-1 Neighborhood Business District in the column entitled Districts Permitted.

Section 19. Table IX-9, entitled "Freestanding Shopping Center Signs", is hereby amended to insert the name B-1(A) Neighborhood Business (Arterial) immediately following, and in the same category as, the B-1 Neighborhood Business District in the column entitled Districts Permitted.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 19th day of November, 1990.

PASSED by the City Council on this 19th day of November, 1990.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 29^E day of November, 1990.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

Certificate of Publication

I, Ruth S. Brookens, City Clerk of the City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the News-Gazette on the 5th day of

December, 1990, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

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